



## **MONTANA STATE HOSPITAL POLICY AND PROCEDURE**

### **CONTRABAND AND SEARCHES**

**Effective Date:** June 30, 2003

**Policy #:** SF-02

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**I. PURPOSE:** To identify prohibited items (contraband) and to provide staff with guidelines for conducting searches of patients and their living areas to prevent the entry of prohibited items into the therapeutic environment.

**II. POLICY:**

- A. Montana State Hospital recognizes that patients have a right to privacy, dignity, and to be free from unreasonable searches. Patients, staff, and visitors also have the right to a safe and therapeutic environment which under certain circumstances necessitates taking steps to ensure patients are not in possession of items that may present a hazard to personal safety or the therapeutic environment. Searches of patients and their living areas are permitted in order to prevent patients from possession potentially dangerous items or to recover stolen or missing property.
- B. When it is necessary to conduct a search, it will be carried out in a professional and courteous manner recognizing the intrusion to personal privacy that occurs.
- C. Persons visiting patients will not be searched by hospital staff, but may be asked to allow staff to inspect items brought into the hospital.

**III. DEFINITIONS:**

- A. Contraband is a term used to describe prohibited or unauthorized items. Certain items are clearly considered contraband in the hospital environment. These include weapons, illegal or unauthorized drugs, intoxicants, flammable items and items with a sharp edge. Other items such as a torn sheet or clothing, electrical cords, silverware, wire, etc., may be considered contraband if staff believe the item may be used by a patient to harm themselves or someone else. Additionally, excessive amounts of any authorized item, or personal items whose ownership cannot be determined, may also be considered contraband.

**IV. RESPONSIBILITIES:**

- A. Direct Care Staff – Conduct and document searches of patients and their living areas in accordance to the following guidelines.
- B. Physician – Provides authorization for conducting searches for contraband when deemed necessary. Orders, performs, and documents body cavity searches.

- C. Registered Nurse – Performs and documents body cavity searches upon receipt of physician's order.
- D. Team Leader/Nurse Manager – Provides authorization for conducting searches for contraband when deemed necessary.

**V. PROCEDURE:**

- A. Whenever possible, staff members will obtain authorization from a physician, nurse manager, or team leader prior to conducting a search for contraband. If there is an imminent threat to personal safety created by reasonable suspicion that a patient possesses contraband which could be used to harm themselves or someone else, the search may be carried out by staff members and notice provided to the physician, nurse supervisor, or team leader immediately afterward. Searches may also be conducted when indicated in accordance with the Suicide Precautions Policy, Self-Mutilative Precautions Policy, and the Management of Patient's Personal Effects Policy. At least two staff members must be present when conducting searches of patients or their living areas.
- B. Whenever possible, patient room searches will be conducted with the room's occupants present. However, if a patient is uncooperative, they may be removed to another location for the duration of the search. A search may also be conducted without the patient present if staff have reasonable cause to believe a dangerous item may be hidden in the room. A systematic inspection will be made of the room and its contents. Non-contraband articles must be put back in an orderly manner.
  - 1. New items brought to the hospital will be inspected as part of procedures for recording personal effects. The patient will be asked to open packages while staff observe and record contents.
  - 2. Patients are requested to open their mail in the presence of staff so the contents of packages and envelopes can be viewed for contraband. Staff are not to read mail unless requested by patients. Patients have an unrestricted right to receive sealed mail from their attorneys, private physicians and other professional persons, the mental disabilities board of visitors, courts, and government officials.
- C. Common areas such as day halls, bathrooms, activity yards and group rooms may be searched without restriction.
- D. Patient searches must be conducted in a location which affords reasonable privacy. Two staff members must be present when searching a patient. Patient cooperation should be solicited by explaining the reason for the search and using a sensitive, straightforward approach.
  - 1. Pat Search: The staff member making physical contact with the patient must be the same gender as the patient being searched.

- a. Instruct the patient to remove shoes, hat, coat or jacket, and empty pockets – turning them inside out. Check pockets to ensure they are empty and closely examine any items that have been removed.
  - b. Closely examine the patient's hair and look behind the ears to locate any possible concealed items. If necessary, run hands through the hair.
  - c. Ask the patient to stand with legs apart and arms extended outward. Conduct a systematic head-to-toe search as follows:
    - 1) Observe closely for inappropriate bulges or areas the patient is reluctant to reveal.
    - 2) Run hands under shirt collar, across shoulders and down upper part of each arm to the wrists.
    - 3) Run hands inside waistband and down each leg. Check each sock and shoe.
    - 4) Sweep hands down the patient's back from the shirt collar to the waist.
    - 5) If appropriate, ask to look inside the patient's mouth.
2. Only ask the patient to remove articles of clothing if there is reasonable suspicion the patient is concealing an item that cannot be detected through pat search procedures. Under most circumstances, this will not be necessary. Staff present should be of the same gender as the patient and whenever possible should include a licensed nurse. When working with patients who have been victims of sexual abuse, staff should request guidance or assistance from other clinical staff to minimize adverse effects. The search may not be any more intrusive than necessary to ensure the patient is not in possession of any contraband.
  3. Any search of body cavities other than the mouth or ears, must be authorized by a physician's order specifying the type of search. A body cavity search must be conducted by a physician or registered nurse.
- E. Hand held or floor mounted metal detectors may be used when available to assist with search procedures. Patients on the Forensic Treatment Unit may be asked to pass through the metal detector in accordance with routines established by the treatment team.
- F. Missing or stolen items will be returned to the rightful location or owner.
- G. Documentation that search procedures have been conducted will be entered into Nursing Supervisor Reports. Additionally, documentation will be entered into patient records whenever contraband is found or when searches are conducted in accordance with a physician's orders. Documentation entered into the medical record will include:
- Date, time and location of search.
  - Information shared with the patient(s) prior to the search.
  - Result of the search.

- VI. REFERENCES:** MSH Policies: Management of Patient's Personal Effects, Suicide Precautions, and Self-Mutilative Precautions.
- VII. COLLABORATED WITH:** Medical Director, Team Leaders, Safety Officer, and Hospital Administrator.
- VIII. RESCISSIONS:** #SF-02, *Contraband and Searches* dated February 14, 2000; HOPP #13-09/006C, *Contraband and Searches*, April 11, 1979
- IX. DISTRIBUTION:** All hospital policy manuals.
- X. REVIEW AND REISSUE DATE:** June 2006
- XI. FOLLOW-UP RESPONSIBILITY:** Director of Nursing Services
- XII. ATTACHMENTS:** None

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Thomas Gray, MD Date  
Medical Director